

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. James Brooks Hawkins

Docket No. 5:10-CR-81-1D

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, James Brooks Hawkins, who, upon an earlier plea of guilty to Possession of a Firearm by a Convicted Felon, 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge on February 23, 2011, to the custody of the Bureau of Prisons for a term of 72 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

James Brooks Hawkins was released from custody on August 21, 2015, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant is currently on supervised release as a result of Felon in Possession of a Firearm; however, he has a historical sex offense. The Eastern District of North Carolina Probation Office no longer requires defendant's to abide by the rules and regulations of the NCE Sex Offender Program. Instead, the probation office has tailored specific additional conditions to meet the needs of each offender. The defendant signed a Waiver of Hearing agreeing to the proposed modifications of supervision that he and the probation officer both believe will help him be successful while completing his term of supervised release.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall not associate or have verbal, written, telephonic, or electronic communications with any person under the age of eighteen (18), except: (1) in the presence of the parent or legal guardian of said minor; (2) on the condition that the defendant notifies the parent or legal guardian of the defendant's conviction or prior history; and (3) with specific, written approval from the U.S. Probation Officer. This provision does not encompass persons under the age of eighteen with whom the defendant must deal in order to obtain ordinary and usual commercial services (e.g., waiters, cashiers, ticket vendors, etc.).
2. The defendant shall have no direct or indirect contact, at any time and for any reason, with the victim(s), the victim's family, or affected parties in this matter unless provided with specific, written authorization in advance by the U.S. Probation Officer.
3. The defendant shall not possess any legal or illegal pornographic material, including any materials depicting and/or describing "child pornography" and/or "simulated" child pornography as defined in 18 U.S.C. § 2256, nor shall the defendant enter any location where such materials can be accessed, obtained, or viewed, including pictures, photographs, books, writings, drawings, videos, or video games.
4. The defendant shall not have any social networking accounts without the approval of the U.S. Probation Officer.

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5. The defendant shall not be employed in any position or participate as a volunteer in any activity that involves direct or indirect contact with children under the age of eighteen (18) without written permission from the U.S. Probation Officer. Under no circumstances may the defendant be engaged in a position that involves being in a position of trust or authority over any person under the age of eighteen.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,
/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing
is true and correct.
/s/Maurice J. Foy
Maurice J. Foy
Senior U.S. Probation Officer
310 New Bern Avenue Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8678
Executed On: August 26, 2015

ORDER OF THE COURT

Considered and ordered this 27 day of August, 2015 and ordered filed and made a part of the records in the above case.

James C. Dever III
James C. Dever III
Chief U.S. District Judge